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# Clearing the Way for Missile Defense

## Introduction

In order to assure progress in establishing an effective missile defense system, President Bush, on December 17, 2002, directed the Department of Defense (DoD) to field an initial ground-based interceptor capability by the end of 2004. The Missile Defense Agency (MDA) projects it will have the initial system on alert by September 30, 2004.

To maintain his commitment to missile defense as a top national security priority alongside the war on terror, the President has requested a 13-percent increase in missile defense funding for FY05 compared with FY04. Increased funding in FY05 will ensure the initial ballistic missile defense program has the resources necessary to continue operational testing and development to field additional capabilities through the end of this decade. The funding will also ensure MDA has the resources necessary to continue development of missile defense capabilities that will protect our troops and allies from short-range threats.

Despite the fact that an initial missile defense system capable of providing more protection to the American people than ever before is nearly operational, some Senators likely will attempt to limit the fielding and further development of the missile defense system when the Senate debates the defense budget later this year. Senators should support the Administration's plan for an operational missile defense. With the ballistic missile threat to the United States continuing to grow – as detailed below – restrictions to the development of an effective missile defense thwart U.S. national security.

## Background: A Layered Missile Defense System

### *Ballistic Missile Threat*

North Korea and Iran continue to develop weapons of mass destruction and pursue longer-range ballistic missile capabilities, and China continues to develop intercontinental ballistic missiles – all evidence of the growing threat.<sup>1</sup>

<sup>1</sup> CIA, "Unclassified Report to Congress on the Acquisition of Technology Relating to Weapons of Mass Destruction and Advanced Conventional Munitions, 1 January - 30 June 2003,"; DoD, "Annual Report on

- A DoD report concludes, “Beijing has greatly expanded its arsenal of increasingly accurate and lethal ballistic missiles and long-range strike aircraft that are ready for immediate application should the [People’s Liberation Army] be called upon to conduct war before its modernization aspirations are fully realized.”<sup>2</sup> This expansion includes replacement of its current intercontinental ballistic missiles.
- The Central Intelligence Agency has reported that “North Korea is nearly self-sufficient in developing and producing ballistic missiles, and has demonstrated a willingness to sell complete systems and components that have enabled other states to acquire longer-range capabilities earlier than would otherwise have been possible, and to acquire the basis for domestic development efforts.”<sup>3</sup>
- According to the CIA, Iran’s ballistic missile inventory is among the largest in the Middle East. Already producing Scud short-range ballistic missiles, Iran announced in the first half of 2003 that it had begun production of the Shahab-3 medium-range ballistic missiles and a new solid-propellant short-range ballistic missile, the Fateh-110. In addition, Iran publicly acknowledged the development of follow-on versions of the Shahab-3.<sup>4</sup> This is all placed in the troubling context of recent discoveries of the extent of Iran’s nuclear weapons development program.

### **DOD Responds to Threat with an Operational System**

The June 13, 2002 withdrawal by the United States from the 1972 Anti-Ballistic Missile (ABM) Treaty freed the U.S. government to begin development of a layered missile defense system, including the development, testing, and deployment of sea-based, air-based, space-based, and mobile land-based ABM systems and ABM system components - activities that previously would have been prohibited.

Given the requirement set by President Bush to have a system operational by 2004, MDA has made swift progress in developing an initial ballistic missile defense capability. MDA plans for the initial system, or Initial Defense Capability (IDC), to be put on alert by September 30, 2004. The MDA FY05 budget request states that MDA “will recommend to the Secretary of Defense that he place the Ballistic Missile Defense System on alert as soon as there is capability to defend against a single intercontinental ballistic missile.”

The Administration has established an aggressive schedule to add capabilities to the IDC, which ultimately will result in a robust, layered missile defense system. In addition to the initial ground-based system, funding for FY05 will be directed toward

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the Military Power of the People’s Republic of China.” Executive Summary. Washington, DC: July 28, 2003; and Senate Armed Services Committee Hearing, prepared testimony by Lt. General Ronald T. Kadish, USAF, March 11, 2004.

<sup>2</sup> DoD, “Annual Report on the Military Power of the People’s Republic of China,” July 28, 2003.

<sup>3</sup> CIA, “Unclassified Report to Congress on the Acquisition of Technology Relating to Weapons of Mass Destruction and Advanced Conventional Munitions, 1 January - 30 June 2003.”

<sup>4</sup> CIA, January – June, 2003.

adding interceptors and networked, forward-deployed ground-, sea-, and space-based sensors to improve the capability of the system over the next two years. Funding in FY05 will also focus on adding additional layers of weapons and sensors to defend against enemy ballistic missiles during the boost, midcourse, and terminal phases of flight.<sup>5</sup>

### **DOD Using Evolutionary Approach for Acquisition of Missile Defense System**

A layered missile defense will consist of a complex set of weapons systems working in concert to form a robust counter to the ballistic missile threat. However, the threat may not wait until every piece of a layered missile defense is 100-percent operational, nor will the threat remain static once a missile defense system has achieved 100-percent operational capacity. Given the current and evolving nature of the ballistic missile threat, it is crucial that a missile defense system be put on alert as soon as possible – even short of full capability – and also have the flexibility to evolve with the threat.

To meet these criteria, DoD has chosen to develop missile defense through an evolutionary approach to acquisition.<sup>6</sup> As opposed to seeking 100 percent of an original requirement before fielding a system, the new acquisition process develops an initial version of the new weapon system. Field experience is then incorporated into further development of the system to improve later versions of the original in a block approach. In fact, this is now the “preferred approach” for all DoD acquisitions.<sup>7</sup>

An alternative acquisition method is called “single step to full capability.” Under this process, DoD defines a specific military requirement to be met and then works to develop and build a design that, upon first deployment, meets 100 percent of that requirement. For a single complex weapon system, such as the ballistic missile defense system, that process could easily take more than a decade.<sup>8</sup>

In a written response to a GAO report on the missile defense acquisition process, which was made publicly available on March 11, 2004, the Executive Director for MDA, Robert Snyder, emphasized the benefits of the evolutionary approach as opposed to the “single step to full capability” approach:

...As the evolutionary MDA approach emphasizes, we field many years sooner an initial capability of what is achievable while fully understanding and characterizing the known limitations (e.g., only modest ability to discriminate relatively simple decoys). Concurrently, we aggressively continue to develop and field additional improvements and, over time, achieve a robust defensive system

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<sup>5</sup> For a description of the various phases of ballistic missile flight see: Republican Policy Committee, “Reviewing the Progress of Missile Defense: Exploring the Freedom Afforded the United States by the Absence of the ABM Treaty,” December 10, 2003; and Missile Defense Agency website (<http://www.acq.osd.mil/bmdo/bmdolink/html/bmdolink.html>).

<sup>6</sup> The new approaches to acquisition are called “evolutionary acquisition with spiral development” and “capabilities-based acquisition.” For a good discussion on the topic, see: Congressional Research Service (CRS), “Evolutionary Acquisition and Spiral Development in DOD Programs: Policy Issues for Congress,” November 13, 2003; and the FY05 MDA Budget Estimates Press Release, accessed at: <http://www.acq.osd.mil/bmdo/bmdolink/pdf/budget05.pdf>.

<sup>7</sup> Department of Defense Directive 5000.1 Section 4.3.2.

<sup>8</sup> CRS, “Evolutionary Acquisition and Spiral Development in DOD Programs: Policy Issues for Congress,” p. 2.

pace the threat, responding to stakeholders' needs, and capitalizing on program progress and successes.<sup>9</sup>

This statement underscores that MDA stands by its decision to use this acquisition approach because of the dual benefit of testing and operational experience that it will afford.

### **Operational Successes of Other Programs Using the Evolutionary Approach**

Fielding weapon systems before they meet 100 percent of their original operational testing goals has been useful for a number of systems. Examples of programs now using evolutionary acquisition include the DD(X) family of surface combatant ships and the Joint Direct Attack Munition (JDAM). Another program of particular note that has demonstrated the benefits of operational use prior to 100-percent operational capacity is the Predator unmanned aerial vehicle.

The Predator originated in 1994 in prototype form in a program designed to incorporate warfighter operational experience with the system to help refine development.<sup>10</sup> Prior to obtaining 100-percent capability, the Predator proved useful in Operation Allied Force in Kosovo, Operation Southern Watch in Iraq, Operation Enduring Freedom in Afghanistan, and most recently in Operation Iraqi Freedom. General Tommy Franks, former commander of U.S. Central Command, stated in November 2001, "The Predator is my most capable sensor in hunting down and killing Al Qaeda and Taliban leadership and is proving absolutely critical to our fight."<sup>11</sup>

Another program closer to MDA's development experience is the joint U.S.-Israeli development of the Arrow Weapon System (AWS). The successful Arrow intercept test on September 14, 2000, resulted in Israel declaring the system operational in October 2000. However, the Israeli Missile Defense Organization continues to upgrade AWS's operational capability while continuing to test the system, just as MDA intends to do with the U.S. missile defense system.

## **Resurrecting the ABM Treaty**

As suggested by past defense bill debates, amendments likely will be offered to the FY05 Defense Authorization and Appropriations bills to limit the Bush Administration's plan for missile defense.

For example, during the FY04 Defense Authorization debate in the Senate in May 2003, an amendment offered by Senator Bingaman would require specific authorization by Congress before funds could be expended to design, develop, or deploy hit-to-kill interceptors or other weapons for placement in space. That amendment was adopted in the Senate (but not enacted).

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<sup>9</sup> GAO, "Missile Defense: Actions Being Taken to Address Testing, Recommendations, but Updated Assessment Needed," GAO-04-254, February 2004 (released publicly on March 11, 2004), (MDA response included in the appendix, pp. 22-24).

<sup>10</sup> Information on the Advanced Concept Technology Demonstration program, such as the Predator UAV, is available at: <http://www.acq.osd.mil/actd/intro.htm>

<sup>11</sup> Air Force Background Paper, January 31, 2003, cited in CRS Report, "Unmanned Aerial Vehicles: Background and Issues for Congress," April 25, 2003, p. 24.

Other potential efforts to limit missile defense development may come in the form of language restricting or transferring funding. Such amendments have the same effect of limiting MDA's ability to augment the initial capability of the missile defense system.

Opponents to missile defense development already have stated their opposition to placing the initial ground-based system on alert without exhaustive testing. One tactic will be to impugn the Bush Administration by suggesting the time frame is politically motivated. For example, Senator Levin recently asserted: "They're going to deploy it whether it works or not, because they want to be able to claim before the election that we now have a defense against North Korean missiles."<sup>12</sup>

Yet, Thomas Christie, Director of Testing and Evaluation at DoD, confirmed his comfort with testing under the new acquisition process for missile defense at a hearing before the Senate Armed Services Committee on March 11, 2004. He stated, "Fielding the Test Bed provides an opportunity to gather operational data on system performance, safety, survivability, reliability, availability, and maintainability. We should expect these data to drive system enhancements."<sup>13</sup>

Restrictions on the development and deployment of particular layers of missile defense capability – including restrictions on placing the system on alert – would effectively reinstate portions of the now-defunct ABM Treaty. As Israel's Arrow program demonstrates, it is possible to place a system on alert and continue to upgrade capabilities as development progresses.

## **Avoiding a Self-Imposed Circumscription**

Congress must recognize that the threat of a missile attack on U.S. soil or U.S. interests is current and evolving, and so it must continue to support the Bush Administration's effort to further develop missile defense capabilities. Amendments, whether offered in committee or on the Senate Floor, that are designed to limit the Administration's ability to place the system on alert this year or restrict the addition of future capabilities for missile defense should be opposed.

Restrictions to the development of an effective missile defense will ill serve U.S. national security. While the Administration has aggressively implemented counter-proliferation measures, such as the Proliferation Security Initiative (PSI), it is important to employ other tools to address the ballistic missile threat. To that end, the Administration eliminated the ABM Treaty and initiated development of a layered missile defense to protect the American people.

Efforts to protect the American people will fall short, however, if we do not keep pace with the threat. Lieutenant General Ronald T. Kadish, director of MDA, stated during a Senate Armed Services Committee hearing earlier this month that there is military utility in placing the system on alert this year:

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<sup>12</sup> *CQ Weekly*, "Pentagon Prepares for Midyear Deployment of Anti-Missile System," February 14, 2004.

<sup>13</sup> Thomas Christie, DoD Director of Operational Test and Evaluation, in testimony before Senate Armed Services Committee, March 11, 2004.

When we put the midcourse elements (GMD and Aegis BMD) of the BMD system on alert, we will have a capability that we currently do not have. In my opinion, a capability against even a single reentry vehicle has significant military utility. Even that modest defensive capability will help reduce the more immediate threats to our security and enhance our ability to defend our interests abroad. We also may cause adversaries of the United States to rethink their investments in ballistic missiles.<sup>14</sup>

General Kadish continued, “I must emphasize that what we do in 2004 and 2005 is only the starting point—the beginning—and it involves very basic capability. Our strategy is to build on this beginning to make the BMD system increasingly more effective and reliable against current threats and hedge against changing future threats.”<sup>15</sup>

## **Conclusion**

In a Senate hearing last year, the Defense Department’s Christie stated the basic problem well: “If we don’t develop an operational concept, and an attack does come, then we will have failed in the most serious way.”<sup>16</sup>

For the first time, the United States – this year – will have an elementary capability to defend the country against a ballistic missile attack. However, there is much that remains to be done by MDA to continue expansion of the initial system slated to be put on alert. Given the presence – and the expected growth – of the ballistic missile threat, Congress must ensure it provides the resources necessary to MDA to achieve these goals, and not place any restrictions on the United States that are reminiscent of the ABM Treaty.

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<sup>14</sup> Lt. General Ronald T. Kadish, USAF, testimony before the Senate Armed Services Committee, March 11, 2004.

<sup>15</sup> Kadish, March 11, 2004.

<sup>16</sup> Senate Armed Services Committee Hearing, “Ballistic Missile Defense in Review of the Defense Authorization Request for Fiscal Year 2004,” Washington, DC: March 18, 2003.